

August 6, 2003

TO: Workers' Compensation Insurance Carriers
and Self-Insurers Operating in the
Commonwealth of Kentucky

FROM: _____
Larry M. Greathouse, Commissioner
Kentucky Department of Workers' Claims

SUBJECT: **WORKERS' COMPENSATION BENEFIT SCHEDULE – 2004**

The Cabinet for Workforce Development has certified that the average weekly wage of Kentucky, for the calendar year 2002 was \$588.43. Based upon that information and in accordance with KRS 342.143, the following determinations are made:

1. The increase in maximum income benefits under all provisions of the Workers' Compensation Act for the year 2002 over the year 2001 did amount to \$2.00 or more; therefore, the maximum weekly indemnity benefits for calendar year 2003 shall be \$588.43.
2. There was an increase of \$1.00 or more in minimum income benefits; therefore, the minimum weekly indemnity benefits under all provisions of the Act shall be \$117.69 for calendar year 2003.

A schedule of indemnity benefits is attached hereto.

Gp

SCHEDULE OF WEEKLY WORKERS' COMPENSATION BENEFITS

TYPE OF DISABILITY SECTION OF STATUTE	FOR INJURIES OCCURRING					
	01-01-99 thru 12-31-99	01-01-00 thru 12-31-00	01-01-01 thru 12-31-01	01-01-02 thru 12-31-02	01-01-03 thru 12-31-03	01-01-04 thru 12-31-04
APPLICABLE AVERAGE WEEKLY WAGE OF THE STATE	\$487.20 (1997)	\$509.03 (1998)	\$530.07 (1999)	\$550.66 (2000)	\$571.42 (2001)	\$588.43 (2002)

DEATH (KRS 342.750)

a. Widow or widower with no children-50% of average weekly wage of deceased-subject to the following:						
MAXIMUM	\$243.60	\$254.51	\$265.04	\$275.33	\$285.71	\$294.22
MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69
b. Widow or widower with children living in the home - 45% of average weekly wage of deceased, plus 15% for each child --subject to the following:						
MAXIMUM	365.40	381.77	397.55	413.00	428.57	441.32
MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69
c. Widow or widower with children not living in the home—40% of average weekly wage of deceased, plus 15% for each child--subject to the following:						
MAXIMUM	365.40	381.77	397.55	413.00	428.57	441.32
MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69
d. One child, no widow or widower- 50% of average weekly wage of deceased--subject to the following:						
MAXIMUM	243.60	254.51	265.04	275.33	285.71	294.22
MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69
d(1) More than one child, no widow or widower-50% of average weekly wage of deceased for the first child with an additional 15% of average weekly wage of deceased for each additional child—subject to the following:						
MAXIMUM	365.40	381.77	397.55	413.00	428.57	441.32
MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69

TYPE OF DISABILITY SECTION OF STATUTE		FOR INJURIES OCCURRING					
		01-01-99 thru 12-31-99	01-01-00 thru 12-31-00	01-01-01 thru 12-31-01	01-01-02 thru 12-31-02	01-01-03 thru 12-31-03	01-01-04 thru 12-31-04
e.	Dependent parents- 25% of average weekly wage of deceased to each parent-- subject to the following:						
	MAXIMUM	365.40	381.77	397.55	413.00	428.57	441.32
	MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69
f.	Dependent brothers, sisters, grandparents and grandchildren- 25% of average weekly wage of deceased to each dependent-- subject to the following:						
	MAXIMUM	365.40	381.77	397.55	413.00	428.57	441.32
	MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69

The above is subject to the maximum of 75% of the average weekly wage of the deceased.

LUMP SUM DEATH BENEFIT

INCREASE KRS 342.750(6)

As amended effective July 14, 2000,
in addition to all other benefits payable
under this chapter, if death occurs
within four (4) years of the injury, as a
direct result of a work-related injury,
a lump sum payment is to be made to
the deceased's estate, subject to the
following:

--	50,000.00	52,066.50	54,089.28	56,128.45	57,799.31
----	-----------	-----------	-----------	-----------	-----------

TEMPORARY AND PERMANENT

TOTAL KRS 342.730(1)(a)

66 2/3% of average weekly wage of
employee--subject to the following:

MAXIMUM	487.20	509.03	530.07	550.66	571.42	588.43
MINIMUM	97.44	101.81	106.01	110.13	114.28	117.69

RETRAINING INCENTIVE BENEFITS

KRS 342.732(1)(a) 66 2/3% of average
weekly wage of employee--subject to the
following:

MAXIMUM	365.40	381.77	397.55	413.00	428.57	441.32
MINIMUM	NONE	NONE	NONE	NONE	NONE	NONE

TYPE OF DISABILITY SECTION OF STATUTE	FOR INJURIES OCCURRING					
	01-01-99 thru 12-31-99	01-01-00 thru 12-31-00	01-01-01 thru 12-31-01	01-01-02 thru 12-31-02	01-01-03 thru 12-31-03	01-01-04 thru 12-31-04
PERMANENT PARTIAL FOR INJURIES OCCURRING AFTER 12-11-96						
KRS 342.730(1)(b), (1)(c)2,&(1)(d)						
99% of 66 2/3% of average weekly wage of employee subject to the following:						
MAXIMUM	365.40	381.77	397.55	413.00	428.57	441.32
MINIMUM	NONE	NONE	NONE	NONE	NONE	NONE
PERMANENT PARTIAL FOR INJURIES OCCURRING AFTER 12-11-96						
KRS 342.730 (1)(c)1,&(1)(d)						
When the employee does not retain physical capacity to return to type of work performed at time of injury--						
99% of 66 2/3% of average weekly wage of employee subject to the following:						
MAXIMUM	487.20	509.03	530.07	550.66	571.42	588.43
MINIMUM	NONE	NONE	NONE	NONE	NONE	NONE